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Rawlinson, Sidney Thomas*

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

CYRUS SANAI,

Plaintiff,

v.

ALEX KOZINSKI, et al.,

Defendants.

No. 4:19-cv-08162-YGR

**DEFENDANTS' RESPONSE TO
PLAINTIFFS' AMENDED
ADMINISTRATIVE MOTION FOR
SERVICE BY UNITED STATES
MARSHALS, OR IN THE
ALTERNATIVE FOR LEAVE TO FILE A
MOTION FOR RECONSIDERATION**

Plaintiff has filed an amended administrative motion requesting that the Court “authorize service by Marshal on the remaining defendants,” namely U.S. District Judges Robert Whaley and Roger Hunt. ECF No. 64 at 1, 4. To date in this case, the Department of Justice has been authorized to represent Defendants Cathy Catterson, Audrey Collins, Irma Gonzalez, Ronald Gould, Terry Hatter, Jr., Alex Kozinski, Margaret McKeown, Johnnie Rawlinson, all sued in their individual capacities, Molly Dwyer, sued in her official capacity, Sidney Thomas, sued in his individual and official capacities, and the Judicial Council of the Ninth Circuit. As Defendants previously indicated to the Court in June 2020, the Department of Justice has been neither asked nor authorized to represent Defendant Hunt or Defendant Whaley. ECF No. 35 at 1. The Department of Justice thus takes no position in response to Plaintiff’s renewed request that the Court order service on Defendants Hunt and Whaley by the United States Marshal. As Plaintiff acknowledges, the Court previously denied an identical prior request by Plaintiff. *See* ECF No. 37 at 1-2 (“Sanai has not demonstrated that substituted service as permitted under the Federal Rules of Civil Procedure is an inadequate alternative method of service.”).

Dated: January 7, 2021.

Respectfully submitted,

U.S. DEPARTMENT OF JUSTICE

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